

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM D. LARSEN,

Defendant.

CASE NO. CR 99-5081 TSZ

SUMMARY REPORT OF U.S.  
MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS OF  
SUPERVISED RELEASE

An evidentiary hearing on supervised release revocation in this case was scheduled before the undersigned on October 31, 2006. The United States was represented at the hearing by AUSA Matt Thomas. The defendant was present and represented by Zenon Olbertz. The proceedings were digitally recorded.

Defendant had been sentenced on October 21, 2000 by the Honorable Thomas S. Zilly on charges of Conspiracy to Distribute Methamphetamine and Possession of Firearm in Furtherance of a Drug Trafficking Case and sentenced to 78 months custody, 5 years supervised release.

The conditions of supervised release included the standard condition number 9 (the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer) plus the special requirement that the defendant abstain from the use of alcohol and drugs. Defendant commenced supervision on October 28, 2004.

On July 26, 2005, the Court approved the probation department's request that no action be taken regarding the offender having consumed alcohol on or about June 3, 2005, in violation of special condition of supervised release.

In a petition dated October 20, 2006 (Dkt. 62), U.S. Probation Officer Frances L. Davis alleged the following violations of the conditions of probation:

1. Using Methamphetamine approximately two times per month starting in the month of April 2006. Between the months of July and October 2006 the offender's use has been reported as being daily.
2. Associating with Danelle Lee Anderson a person convicted of a felony without the permission of the probation office, in violation of standard condition number 9.
3. Associating with Debra Jean Brooks a person convicted of a felony without the permission of the probation office, in violation of standard condition number 9.

Defendant was advised in full as to those charges. The defendant admitted the first alleged violation and waived any evidentiary hearing as to whether it occurred. In return for his admission to the first violation, AUSA Matt Thomas presented a motion to the court to have the second and third violations dismissed at the time of the hearing before Judge Zilly.

I therefore recommend the Court find defendant violated his supervised release as alleged in the first violation, that the Court dismiss the second and third violations, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Zilly.

Pending a final determination by the Court, defendant has been detained.

DATED this 31<sup>st</sup> day of October, 2006.

  
Karen L. Strombom  
United States Magistrate Judge

cc:	District Judge:	Honorable Thomas S. Zilly
	AUSA:	Doug Whalley
	Defendant's attorney:	Zenon Olbertz
	Probation officer:	Fran Davis